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ATTORNEY DOCKET NO  
062891.0500

PATENT APPLICATION  
09/735,739

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
ON APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Shantanu Sarkar et al.  
Serial No. 09/735,739  
Filing Date: December 12, 2000  
Group Art Unit: 2616  
Confirmation No. 7468  
Examiner: Shick C. Hom  
Title: METHOD AND APPARATUS FOR USING AN EXTERNAL  
TRANSCODER IN A COMMUNICATION SESSION

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**APPEAL BRIEF**

Appellants have appealed to the Board of Patent Appeals and Interferences ("*Board*") from the decision of the Examiner, contained in a Final Office Action mailed May 31, 2006 ("*Final Office Action*") and in an Advisory Action mailed October 26, 2006 ("*Advisory Action*"), finally rejecting Claims 1-5, 7, 9-13, 16-27, and 29-40. Appellants mailed a Notice of Appeal on November 16, 2006. Appellants respectfully submit this Appeal Brief for consideration by the Board.

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PO Box 1450  
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Dear Sir:

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that the attached Appeal Brief (451 pages), Baker Botts return postcard (1 postcard), and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 25th day of June 2007 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Willie Jiles*  
\_\_\_\_\_  
Willie Jiles

Express Mail Receipt  
No. EV 732543461 US

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**REAL PARTY IN INTEREST**

This Application is currently owned by Cisco Technology, Inc., as indicated by an assignment recorded on December 12, 2000, in the Assignment Records of the United States Patent and Trademark Office at Reel 011376, Frame 0579.

**RELATED APPEALS AND INTERFERENCES**

The Appellants, the undersigned Attorney for Appellants, and the Assignee know of no applications on appeal or interferences that may directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**STATUS OF CLAIMS**

Claims 1-5, 7, 9-13, 16-27, and 29-40 are pending in the application. Claims 6, 8, 14-15, and 28 have been canceled. Claims 1-5, 7, 9-13, 16-27, and 29-40 were finally rejected in the *Final Office Action* and *Advisory Action*. Appellants present Claims 1-5, 7, 9-13, 16-27, and 29-40 for appeal. Appendix A sets forth all pending claims.

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**STATUS OF AMENDMENTS**

All amendments submitted by Appellants have been entered by the Examiner.

**SUMMARY OF CLAIMED SUBJECT MATTER**

The claims of the present Application are directed to a method and apparatus for using an external transcoder in a communication session. Referring to FIGURE 1, a system 10 includes stations 12, transcoders 14, and a packet network 16. In operation, a communication session established between stations 12 may use external protocol capabilities provided by transcoders 14. *Specification, p. 7, ll. 2-7.*

Each station 12, depending on its configuration, processing capabilities, and other factors, supports certain communication protocols. *Specification, p. 7, ll. 28-30.* Transcoders 14, remotely located from stations 12, may provide additional protocol capabilities that allow stations 12 to engage in a communication session. *Specification, p. 8, ll. 13-16.*

Referring to FIGURE 2, station 12 is illustrated in more detail. Station 12 includes a processor 50, a memory 52, and a network interface 54. Memory 52 maintains program 56 and a capabilities table 58. Program 56 may be accessed by processor 50 to manage the overall operation and function of station 12. Table 58 includes both internal and external protocol capabilities available to station 12. Network interface 54 couples station 12 with packet network 16 to establish communication sessions, provision station 12, update program 56 and/or table 58, or perform other suitable tasks. *Specification, p. 11, ll. 6-8, ll. 15-24.*

In operation, processor 50 executes program 56 stored in memory 52 to control the overall management and function of station 12. Upon initiating or receiving a request to establish a communication session, processor 50 accesses protocol capabilities stored in table 58 and provides this information to the other station 12 using interface 54 and packet network 16. If stations 12 select an external protocol capability in table 58 for the communication session, processor 50 issues commands to establish the communication session using transcoder 14. *Specification, p. 12, ll. 4-15.*

FIGURE 6 illustrates a method performed by station 12 to establish a communication session using protocol capabilities of transcoder 14. As disclosed in independent Claims 1, 23, and 30, if an external protocol capability is required, station 12a selects an appropriate resource 72 in table 58 based on priority 76 and supported protocol capability 78. *Specification, p. 15, ll. 25-28.* As disclosed in independent Claims 1, 23, 30, 34-36, and 38-



40, station 12a initiates a transfer to transcoder 14. *Specification, p. 15, ll. 30-31.* If the transcoder is successful, station 12a receives a session identifier 90 from transcoder 14. Station 12a communicates a transfer notification to station 12b, which includes both session identifier 90 and address 74 of the selected transcoder 14. Station 12a then initiates a new call to transcoder 14 using session identifier 90 and communicates media to transcoder 14. *Specification, p. 16, ll. 4-12.*

Referring to FIGURE 4, transcoder 14 is illustrated in more detail. Transcoder 14 includes a processor 80, a memory 82, and a network interface 84. Memory 82 maintains program 86, which may be accessed by processor 80 to manage the overall operation and function of transcoder 14. Table 88 includes information relating to communication sessions established using transcoder 14. *Specification, p. 13, ll. 17-30.*

In operation, processor 80 executes program 86 stored in memory 82 to control the overall function and management of transcoder 14. In a particular embodiment, processor 80 receives requests to establish links to stations 12 using interface 84. Upon receiving these requests, processor 80 determines a session identifier included in the requests or generated as a result of the request to associate two links to establish a communication session. Upon establishing a session, processor 80 performs the various supported protocols to transcode media between stations 12 in communication system 10. *Specification, p. 13, l. 31 – p. 14, l. 14.*

FIGURE 7 illustrates a method performed by transcoder 14 to establish a communication session between stations 12 as disclosed in independent Claim 16. Transcoder 14 receives a consult transfer from station 12a. If resources are available to support the communication session, transcoder 14 communicates session identifier 90 to station 12a and accepts the transfer. *Specification, p. 16, ll. 13-27.* For communications with station 12a, transcoder 14 determines whether it receives a call setup message and, if so, retrieves session identifier 90 and populates table 88 with an entry representing a communication link with station 12a. For communications with station 12b, transcoder 14 receives the transfer notification from station 12b, accepts the transfer, retrieves session identifier 90, and populates table 88 with an entry reflecting a communication link between transcoder 14 and station 12b. If a timeout does not occur and transcoder 14 has received

confirmation of link establishment to both stations 12a and 12b, then transcoder 14 proceeds to receive and transcode media between stations 12a and 12b. *Specification, p. 16, l. 31 – p. 17, l. 25.*

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

- I. Appellants request that the Board review the Examiner's rejection of Claims 1, 3, 10, 16, 23, 25, 30, and 34-40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,965,947 B1 issued to Hild et al. ("*Hild*") in view of U.S. Patent No. 6,785,223 B1 issued to Korpi et al. ("*Korpi*").
- II. Appellants request that the Board review the Examiner's rejection of Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 under 35 U.S.C. § 103(a) as being unpatentable over *Hild* and *Korpi*, and in view of U.S. Patent No. 6,731,625 B1 issued to Eastep et al. ("*Eastep*").

**ARGUMENT**

**I.      *The Examiner's Rejection of Claims 1, 3, 10, 16, 23, 25, 30, and 34-40 is Improper.***

The Examiner rejects Claims 1, 3, 10, 16, 23, 25, 30, and 34-40 under 35 U.S.C. §103(a) as being unpatentable over *Hild* in view of *Korpi*. Appellants respectfully submit that the Examiner does not establish a *prima facie* case of obviousness.

Claim 1 of the present Application recites “communicating protocol capabilities to the station in response to initiation of the call.” Claims 23, 30, 34-36, and 38-40 recite similar elements. Claim 1 also recites “initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder.” Claims 16, 23, 30, 34-36, and 38-40 recite similar elements. In the *Final Office Action*, the Examiner suggests that the combination of *Hild* and *Korpi* discloses these elements. *Final Office Action*, p. 4.

To establish a *prima facie* case of obviousness, the reference(s) must teach or suggest all elements of the rejected claims. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). The Examiner’s rejections fail to satisfy this requirement.

With respect to “communicating protocol capabilities to the station in response to initiation of the call” as recited in Claim 1, the Examiner references Figure 6 of *Hild* and the corresponding description, which provides no disclosure, motivation, or suggestion to “communicat[e] protocol capabilities to the station in response to initiation of the call.” *Hild* only discloses selecting “a transcoder in response to receiving a request for content. The process begins by receiving a request from a client (step 600).” Col. 5, ll. 54-56. Furthermore, the request only includes “a [document type definition], an application, a device, and a user in addition to an identification of the content desired by the client.” Col. 5, ll. 57-59. Particularly, the teachings of *Hild* regarding a request from a client do not disclose, teach, or suggest “communicating protocol capabilities . . . in response to initiation of the call.” *Korpi* does not correct this deficiency, and the Examiner does not make any assertions

to the contrary. For these reasons alone, Appellants respectfully request reconsideration and allowance of all pending claims.

With respect to “initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder” as recited in Claim 1, the Examiner admits that *Hild* does not disclose these elements and relies on the Abstract of *Korpi*. *Korpi*, however, discloses “[p]rimary and secondary gatekeepers (104a, 106a) establish a supervisory link (1b) with one another while the media connection is set up between client terminals (112a, 114a).” *Abstract* (emphasis added). Particularly, the teachings of *Korpi* regarding a supervisory link do not disclose, teach, or suggest establishment of a “first link . . . and initiating establishment of a second link . . . to enable media exchange” as recited in Claim 1. For these reasons alone, Appellants respectfully request reconsideration and allowance of all pending claims.

Furthermore, dependent Claims 3, 10, 25, and 37 depend from and incorporate all of the limitations of their respective independent claims, which are allowable for the above-discussed reasons. Therefore, dependent Claims 3, 10, 25, and 37 are allowable at least because they depend from an allowable independent claim.

For at least the reasons discussed above, the combination of *Hild* and *Korpi* fails to disclose, teach, or suggest all the limitations of Claims 1, 3, 10, 16, 23, 25, 30, and 34-40. Accordingly, Appellants respectfully request the Board to reverse the Examiner’s rejection of Claims 1, 3, 10, 16, 23, 25, 30, and 34-40 and direct the Examiner to issue a notice of allowance.

**II. *The Examiner's Rejection of Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 is Improper***

The Examiner rejects Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 under 35 U.S.C. §103(a) as being unpatentable over *Hild, Korpi*, in view of *Eastep*. Appellants respectfully submit that the Examiner does not establish a *prima facie* case of obviousness and improperly uses hindsight reconstruction to arrive at the obviousness rejection.

First, Claims 2, 4-5, and 7 (which depend from Claim 1), Claims 9 and 11-13 (which depend from Claim 36), Claims 17-22 (which depend from Claim 16), Claims 24, 26-27, and 29 (which depend from Claim 23), and Claims 31-33 (which depend from Claim 30) incorporate all the limitations of their respective independent claims, which are allowable for the above-discussed reasons. Therefore, dependent Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 are allowable at least because they depend from an allowable independent claim. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection of Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 and direct the Examiner to issue a notice of allowance.

Second, Appellants respectfully submit that the Examiner improperly uses hindsight reconstruction to arrive at the obviousness rejection. It is improper for an Examiner to use hindsight having read the Appellants' disclosure to arrive at an obviousness rejection. *In re Fine*, 837 F.2d 1071, 1075, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). Furthermore, it is improper to use the claimed invention as an instruction manual or template to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). The Board and the Examiner "should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1742 (2007). In examining this application, the Examiner relies on three references to reject the above-mentioned claims. Appellants respectfully submit that the Examiner's piecemeal rejection qualifies as impermissible hindsight reconstruction.

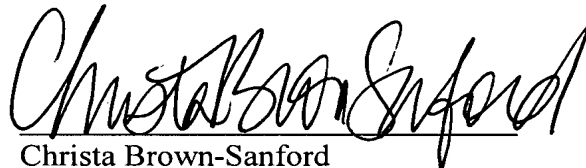
For at least the reasons discussed above, the combination of *Hild*, *Korpi*, and *Easte* fails to disclose, teach, or suggest all the limitations of Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection of Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 and direct the Examiner to issue a notice of allowance.

**CONCLUSION**

Appellants have demonstrated that the present invention, as claimed, is patentably distinct from the cited references. Accordingly, Appellants respectfully request that the Board reverse the final rejection and instruct the Examiner to issue a Notice of Allowance of Claims 1-5, 7, 9-13, 16-27, and 29-40.

Appellants enclose a check in the amount of \$500.00 for filing this Appeal Brief to Deposit Account No. 02-0384 of Baker Botts, L.L.P. Appellants believe that no other fees are due; however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,  
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**APPENDIX A: CLAIMS INVOLVED IN APPEAL**

1. **(Previously Presented)** A method for establishing a call with a station using a transcoder, comprising:

communicating protocol capabilities to the station in response to initiation of the call, wherein the protocol capabilities comprise the protocol capability of at least one remotely located transcoder;

determining whether the protocol capability of the transcoder matches the protocol capability of the station;

selecting the transcoder from a plurality of transcoders based on a priority;

initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and

initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder.

2. **(Original)** The method of Claim 1, wherein communicating protocol capabilities is performed using a peer-to-peer signalling protocol.

3. **(Original)** The method of Claim 1, wherein communicating protocol capabilities is performed using H.323 signalling protocol.

4. **(Previously Presented)** The method of Claim 1, wherein initiating the transfer of the call comprises:

initiating a consult transfer;

receiving a session identifier from the transcoder; and

communicating the session identifier to the station.

5. **(Previously Presented)** The method of Claim 4, wherein initiating establishment of the second link with the transcoder comprises communicating to the transcoder a call setup request having the session identifier.

6. **(Canceled)**

7. **(Original)** The method of Claim 1, wherein media comprises voice information and the protocol capability of the transcoder comprises a voice compression protocol.

8. **(Canceled)**

9. **(Previously Presented)** The communication device of Claim 36, wherein the first signal, the second signal, and the third signal comprise peer-to-peer signalling protocol.

10. **(Previously Presented)** The communication device of Claim 36, wherein the first signal, the second signal, and the third signal comply with H.323 signalling protocol.

11. **(Previously Presented)** The communication device of Claim 36, wherein the second signal comprises a consult transfer to the transcoder that produces a session identifier.

12. **(Original)** The communication device of Claim 11, wherein the third signal comprises a call setup request having the session identifier.

13. **(Previously Presented)** The communication device of Claim 36, wherein media comprises voice information and the protocol capability of the transcoder comprises a voice compression protocol.

14. **(Canceled)**

15. **(Canceled)**

16. **(Previously Presented)** A method for establishing a communication session between a first station and a second station, the method comprising:

establishing a session identifier associated with the communication session responsive to a protocol capabilities communication between the first station and the second station;

receiving a determination whether the protocol capability of a transcoder matches the protocol capabilities of the first station and the second station;

receiving a selection of the transcoder from a plurality of transcoders based on a priority;

establishing a first link between the first station and the transcoder using the session identifier;

establishing a second link between the second station and the transcoder using the session identifier; and

exchanging media between the first station and the second station using the first link and the second link.

17. **(Previously Presented)** The method of Claim 16, wherein establishing the session identifier associated with the communication session comprises:

receiving a consult transfer from the first station; and

communicating the session identifier associated with the consult transfer to the first station.

18. **(Previously Presented)** The method of Claim 16, wherein establishing the first link comprises receiving a call setup request having the session identifier.

19. **(Previously Presented)** The method of Claim 16, wherein establishing the second link comprises receiving a transfer notification having the session identifier.

20. **(Original)** The method of Claim 16, wherein exchanging media comprises:  
associating the first link and the second link using the session identifier;  
transcoding first information received from the first link for communication to the second link; and  
transcoding second information received from the second link for communication to the first link.

21. **(Previously Presented)** The method of Claim 16, wherein the steps of establishing the first link and establishing the second link are performed using peer-to-peer signalling protocols.

22. **(Previously Presented)** The method of Claim 16, wherein the steps of establishing the first link and establishing the second link are performed using H.323 signalling protocols.

23. **(Previously Presented)** Logic encoded in media for establishing a call with a station using a transcoder, the logic operable to perform the following steps:  
communicating protocol capabilities to the station in response to initiation of the call, wherein the protocol capabilities comprise a protocol capability of at least one remotely located transcoder;  
determining whether the protocol capability of the transcoder matches a protocol capability of the station;  
selecting the transcoder from a plurality of transcoders based on a priority;  
initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and  
initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder.

24. **(Original)** The logic of Claim 23, wherein communicating protocol capabilities is performed using a peer-to-peer signalling protocol.

25. **(Original)** The logic of Claim 23, wherein communicating protocol capabilities is performed using H.323 signalling protocol.

26. **(Previously Presented)** The logic of Claim 23, wherein initiating the transfer of the call comprises:

initiating a consult transfer;  
receiving a session identifier from the transcoder; and  
communicating the session identifier to the station.

27. **(Previously Presented)** The logic of Claim 26, wherein initiating establishment of the second link with the transcoder comprises communicating to the transcoder a call setup request having the session identifier.

28. **(Canceled)**

29. **(Original)** The logic of Claim 23, wherein media comprises voice information and the protocol capability of the transcoder comprises a voice compression protocol.

30. **(Previously Presented)** An apparatus for establishing a call with a station using a transcoder, comprising:

means for communicating protocol capabilities to a station in response to initiation of the call, wherein the protocol capabilities comprise the protocol capability of at least one remotely located transcoder;

means for determining whether the protocol capability of the transcoder matches a protocol capability of the station;

means for selecting the transcoder from a plurality of transcoders based on a priority;

means for initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and

means for initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder.

31. **(Original)** The apparatus of Claim 30, wherein means for communicating protocol capabilities is performed using a peer-to-peer signalling protocol.

32. **(Previously Presented)** The apparatus of Claim 30, wherein means for initiating the transfer of the call comprises:

means for initiating a consult transfer;

means for receiving a session identifier from the transcoder; and

means for communicating the session identifier to the station.

33. **(Original)** The apparatus of Claim 30, wherein media comprises voice information and the protocol capability of the transcoder comprises a voice compression protocol.

34. **(Previously Presented)** A method for establishing a call with a station using a transcoder, comprising:

storing protocol capabilities in a plurality of entries in a memory, each entry corresponding to a remotely located transcoder and specifying an address of the transcoder and at least one protocol capability of the transcoder;

communicating protocol capabilities to the station in response to initiation of the call, the protocol capabilities comprising the protocol capability of at least one remotely located transcoder;

initiating a transfer of the call to a selected transcoder to establish a first link between the station and the selected transcoder; and

initiating establishment of a second link with the selected transcoder to enable media exchange with the station using the selected transcoder.

35. **(Previously Presented)** A method for establishing a call with a station using a transcoder, comprising:

communicating protocol capabilities to the station in response to initiation of the call, wherein the protocol capabilities comprise the protocol capability of at least one remotely located transcoder;

selecting the transcoder from a plurality of transcoders if the protocol capability of the transcoder matches the protocol capability of the station;

initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and

initiating establishment of a second link with the transcoder to enable media exchange with the station using the transcoder.

36. **(Previously Presented)** A communication device, comprising:  
an interface operable to communicate with a network;  
a memory operable to store protocol capabilities in a plurality of entries, each entry corresponding to a remotely located transcoder and specifying an address of the transcoder and at least one protocol capability of the transcoder; and  
a processor coupled to the interface and the memory, the processor operable, in response to initiation of a call, to generate a first signal to communicate the protocol capabilities to a station, the protocol capabilities comprising the protocol capability of at least one remotely located transcoder, the processor further operable to generate a second signal to initiate transfer of the call to a selected transcoder, the processor further operable to generate a third signal to initiate communication with the selected transcoder to enable media exchange with the station using the selected transcoder.

37. **(Previously Presented)** The communication device of Claim 36, wherein each entry in the memory further comprises a priority for selection of the corresponding transcoder.

38. **(Previously Presented)** Logic encoded in media for establishing a call with a station using a transcoder, the logic operable to perform the following steps:

storing protocol capabilities in a plurality of entries in a memory, each entry corresponding to a remotely located transcoder and specifying an address of the transcoder and at least one protocol capability of the transcoder;

communicating protocol capabilities to the station in response to initiation of the call, the protocol capabilities comprising the protocol capability of at least one remotely located transcoder;

initiating a transfer of the call to a selected transcoder to establish a first link between the station and the selected transcoder; and

initiating establishment of a second link with the selected transcoder to enable media exchange with the station using the selected transcoder.



39. **(Previously Presented)** Logic encoded in media for establishing a call with a station using a transcoder, the logic operable to perform the following steps:

communicating protocol capabilities to the station in response to initiation of the call, wherein the protocol capabilities comprise the protocol capability of at least one remotely located transcoder;

selecting the transcoder from a plurality of transcoders if the protocol capability of the transcoder matches the protocol capability of the station;

initiating a transfer of the call to the transcoder to establish a first link between the station and the transcoder; and

initiating establishment of a second link with the transcoder to enable media exchange with the station using the transcoder.

40. **(Previously Presented)** An apparatus for establishing a call with a station using a transcoder, comprising:

means for storing protocol capabilities in a plurality of entries in a memory, each entry corresponding to a remotely located transcoder and specifying an address of the transcoder and at least one protocol capability of the transcoder;

means for communicating protocol capabilities to the station in response to initiation of the call, the protocol capabilities comprising the protocol capability of at least one remotely located transcoder;

means for initiating a transfer of the call to a selected transcoder to establish a first link between the station and the selected transcoder; and

means for initiating establishment of a second link with the selected transcoder to enable media exchange with the station using the selected transcoder.

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**APPENDIX B: EVIDENCE**

U.S. Patent No. 6,965,947 B1 issued to Hild et al.

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**APPENDIX C: EVIDENCE**

U.S. Patent No. 6,785,223 B1 issued to Korpi et al.

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**APPENDIX D: EVIDENCE**

U.S. Patent No. 6,731,625 B1 issued to Eastep et al.

**APPENDIX E: EVIDENCE**

Other than the references attached to the Appeal Brief as Appendices B-D, no evidence was submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132, and no other evidence was entered by the Examiner and relied upon by Appellants in the Appeal.

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APPENDIX F: RELATED PROCEEDINGS

NONE